

Michael C. Bynane
Assistant General Attorney

9-144A013

 Chessie System

No. ~~9-144A013~~
Date MAY 22 1979
Fee \$10.00

Law Department
Terminal Tower
P. O. Box 6419
Cleveland, Ohio 44101

ICC Washington, D. C.

RECORDATION NO. 7129-A Filed 1425

MAY 22 1979 - 11 30 AM

May 18, 1979

216 623 2472

RECEIVED
MAY 22 11 20 AM '79
I.C.C.
OPERATION BR.

REGISTERED MAIL

Mr. H. G. Homme, Jr., Secretary
Interstate Commerce Commission
Washington, D. C. 20423

Dear Sir:

Enclosed are executed counterparts Nos. 4, 5 and 6 (of 6) of a Supplemental Agreement dated as of May 1, 1979, between The Baltimore and Ohio Railroad Company, 2 N. Charles Street, Baltimore, Maryland 21201 (Railroad), and Mercantile-Safe Deposit and Trust Company, P. O. Box 2258, Baltimore, Maryland 21203 (Trustee).

The equipment covered by this Supplemental Agreement consists of 38 of:

800 70-ton 50' general service box cars bearing the Railroad's road numbers 486200 - 486999, inclusive.

A.A.R. Mechanical Designation: XM

The above equipment is lettered "Chessie System", "B&O", or in some other appropriate manner and is also marked:

"BALTIMORE AND OHIO RAILROAD EQUIPMENT
TRUST OF 1973, MERCANTILE-SAFE DEPOSIT
AND TRUST COMPANY, TRUSTEE, OWNER LESSOR"

The enclosed Supplemental Agreement amends the Equipment Trust Agreement dated as of July 1, 1973, between the Railroad and the Trustee, that was recorded in the office of the Secretary of the Interstate Commerce Commission on August 3, 1973, at 4:55 p.m., and assigned recordation number 7129.

Also enclosed is draft of The Baltimore and Ohio Railroad Company in the amount of \$10 representing the required recording fee.



The Chessie System railroads are the C&O, B&O, WM and affiliated lines. Chessie System, Inc. is the parent for the railroads, Chessie Resources, Inc., Western Pocahontas Corp. and The Greenbrier.

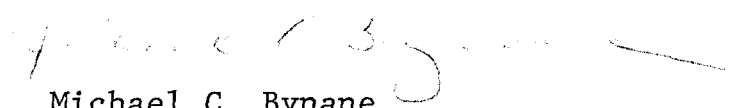
Mr. H. G. Homme, Jr.

-2-

May 18, 1979

Pursuant to the Commission's rules and regulations for the recordation of certain documents under 49 USC §11303 (formerly Section 20c of the Interstate Commerce Act), as currently administered, you are hereby requested to duly file one of the enclosed counterparts for record in your office and to return the remaining two to me at my above address.

Very truly yours,


Michael C. Bynane

MCB:aj

Enclosures

Interstate Commerce Commission
Washington, D.C. 20423

5/22/79

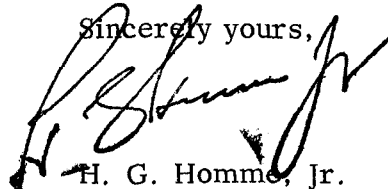
OFFICE OF THE SECRETARY

Michael C Bynane
Chessie System
Terminal Tower
P.O.Box 6419
Cleveland, Ohio 44101

Dear
Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 5/22/79 at 11:30am, and assigned recordation number(s). 7129-A

Sincerely yours,


H. G. Homme, Jr.
Secretary

Enclosure(s)

SE-30
(3/79)

EXECUTED IN 6 COUNTERPART

OF WHICH THIS IS NO. 1

BALTIMORE AND OHIO RAILROAD
EQUIPMENT TRUST OF 1973

RECORDATION NO. 7129-14 Filed 1425

MAY 22 1979 - 11 30 AM

INTERSTATE COMMERCE COMMISSION

SUPPLEMENTAL AGREEMENT

Dated as of May 1, 1979

Between

THE BALTIMORE AND OHIO RAILROAD COMPANY

and

MERCANTILE-SAFE DEPOSIT AND TRUST COMPANY, as Trustee

SUPPLEMENTING

EQUIPMENT TRUST AGREEMENT

Dated as of July 1, 1973

Between

THE BALTIMORE AND OHIO RAILROAD COMPANY

and

MERCANTILE-SAFE DEPOSIT AND TRUST COMPANY, as Trustee

SUPPLEMENTAL AGREEMENT dated as of May 1, 1979, between THE BALTIMORE AND OHIO RAILROAD COMPANY, a Maryland corporation (hereinafter called B&O), and MERCANTILE-SAFE DEPOSIT AND TRUST COMPANY, a Maryland corporation, as Trustee (hereinafter called the Trustee).

W I T N E S S E T H :

WHEREAS, the Trustee and B&O entered into a certain Equipment Trust Agreement dated as of July 1, 1973 (hereinafter called the Trust), covering 800 70-ton 50' general service box cars (hereinafter called the Cars) and certain other railroad equipment as set forth in Section 3.1 thereof; and

WHEREAS, B&O now desires to effect a change of identifying road numbers of 38 of the Cars as permitted in Section 3.1 of the Trust and in compliance with the provisions thereof, and the Trustee hereby consents thereto:

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises, covenants and agreements hereinafter set forth, it is hereby agreed between the parties hereto as follows:

(1) Section 3.1 to the Trust is hereby amended by changing the road numbers of 38 of the Cars as follows:

<u>OLD NUMBERS</u>	<u>NEW NUMBERS</u>
486378	427800
486445	427801
486339	427802
486660	427803
486301	427804
486522	427805
486381	427806
486404	427807

OLD NUMBERSNEW NUMBERS

486428	427808
486577	427809
486575	427810
486434	427811
486383	427812
486247	427813
486649	427814
486307	427815
486238	427816
486870	427817
486317	427818
486494	427819
486911	427820
486833	427821
486365	427822
486904	427823
486768	427824
486415	427825
486855	427826
486934	427827
486963	427828
486695	427829
486296	427830
486510	427831
486239	427832
486395	427833
486822	427834
486648	427835
486350	427836
486343	427837

(2) B&O at its expense will promptly cause this Supplemental Agreement to be filed and recorded with the Interstate Commerce Commission.

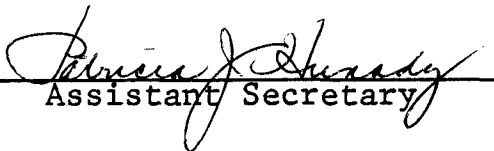
(3) Except as amended and supplemented hereby, the Trust shall remain unaltered and in full force and effect.

* * * * *

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to be duly executed as of the date first above written.

[Corporate Seal]

Attest:


Assistant Secretary

THE BALTIMORE AND OHIO RAILROAD COMPANY

By 
Senior Vice-President

APPROVED AS TO FORM


ASSISTANT GENERAL ATTORNEY

[Corporate Seal]

Attest:


CORPORATE TRUST OFFICER

MERCANTILE-SAFE DEPOSIT AND TRUST COMPANY
as Trust

By 
ASSISTANT VICE PRESIDENT

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

On this 15TH day of May, 1979, before me personally appeared R. L. HINTZ, to me personally known, who, being by me duly sworn, says that he is Senior Vice-President of THE BALTIMORE AND OHIO RAILROAD COMPANY, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Clara Masuga
CLARA MASUGA, Notary Public
State of Ohio - Cuyahoga County
My Commission Expires April 21, 1984

[Notarial Seal]

STATE OF MARYLAND)
) SS:
CITY OF BALTIMORE)

On this 15TH day of May, 1979, before me personally appeared R. E. Schreiber, to me personally known, who, being by me duly sworn, says that he is ASSISTANT VICE PRESIDENT of MERCANTILE-SAFE DEPOSIT AND TRUST COMPANY, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

My commission expires July 1, 1982

Patricia A. Shilow

[Notarial Seal]